

0009

From: Mary Ann Wright
To: kthompson@headwaters.com
Date: 4/23/2007 9:49 AM
Subject: email approval

Cutler JK
4/23/07/COV

CC: Mary Ann Wright; Pam Grubaugh-Littig; Wayne Hedberg

Keith - This email is to confirm an approval to perform a test run of a total of 3000 tons from the coal waste piles of Utah's permitted mines. Covol had earlier sought, and gained permission, to perform test runs of 1000 tons from each of 3 permitted coal waste disposal sites (a total of 3000 tons).

We understand that Covol has, as of this date, April 20, 2007, performed a 1000 ton test from the Consol Emery Deep waste pile and wishes to perform a second 1000 ton test. The Division further understands that a 1000 ton test was performed at another site. To move beyond a total of 3000 tons of coal waste-test run, COVOL Headwaters must post the reclamation bond of \$165,000. Thank you for your cooperation.